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**IN THE UNITED STATES DISTRICT COURT**

**FOR THE DISTRICT OF UTAH**

THE SCO GROUP, INC.

Plaintiff/Counterclaim Defendant

vs.

INTERNATIONAL BUSINESS  
MACHINES CORPORATION

Defendant/Counterclaim Plaintiff

~~Proposed~~ **ORDER GRANTING  
EX PARTE MOTION FOR  
LEAVE TO FILE OVER-  
LENGTH MEMORANDUM**

**Case No. 2:03-CV-0294 DAK**

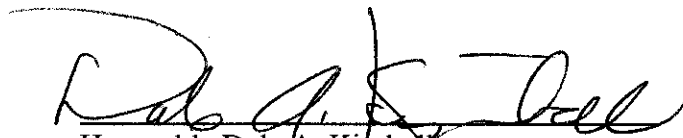
Honorable Dale A. Kimball  
Magistrate Judge Brooke C. Wells

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This matter comes before the Court on the Ex Parte Motion of Plaintiff/Counterclaim-Defendant The SCO Group, Inc. ("SCO") for Leave to File an over-length Memorandum in Opposition to IBM's Motion to Strike Materials Submitted by SCO in Opposition to IBM's Cross-Motion for Partial Summary Judgment. The Court, having considered this matter, hereby determines that good cause and exceptional circumstances exist and hereby ORDERS that SCO be granted leave to file its over-length Memorandum.

DATED: September *12<sup>th</sup>*, 2004.

BY THE COURT:,

  
Honorable Dale A. Kimball

**CERTIFICATE OF SERVICE**

Plaintiff, The SCO Group, hereby certifies that a true and correct copy of [Proposed]  
**ORDER GRANTING PLAINTIFF'S EX PARTE MOTION FOR LEAVE TO FILE**  
**OVER-LENGTH MEMORANDUM** was served on Defendant International Business  
Machines Corporation in this 7<sup>th</sup> day of September, 2004 by U.S. mail, postage prepaid to:

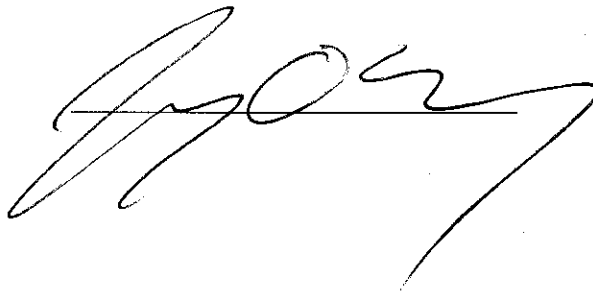
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A handwritten signature in black ink, appearing to read 'D. Rosenberg', written over a horizontal line.

blk

United States District Court  
for the  
District of Utah  
September 13, 2004

\* \* CERTIFICATE OF SERVICE OF CLERK \* \*

Re: 2:03-cv-00294

True and correct copies of the attached were either mailed, faxed or e-mailed by the clerk to the following:

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